



DAK
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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)		Docket Number (Optional)
First named inventor: Kilburn, Kip		
Application No.:	10/614,250	Art Unit: 3616
Filed:	07/05/2003	Examiner: Spisich
Title: An Improved Vehicle Suspension System		
Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 FAX (571) 273-8300		
NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.		
The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.		
APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION		
NOTE: A grantable petition requires the following items: (1) Petition fee; (2) Reply and/or issue fee; (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and (4) Statement that the entire delay was unintentional.		
1. Petition fee <input checked="" type="checkbox"/> Small entity-fee \$ <u>750</u> (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27. <input type="checkbox"/> Other than small entity - fee \$ _____ (37 CFR 1.17(m))		
2. Reply and/or fee A. The reply and/or fee to the above-noted Office action in the form of <u>Statement</u> (identify type of reply): <input type="checkbox"/> has been filed previously on _____ <input checked="" type="checkbox"/> is enclosed herewith. B. The issue fee and publication fee (if applicable) of \$ _____ <input type="checkbox"/> has been paid previously on _____ <input type="checkbox"/> is enclosed herewith.		

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Robert T. Spaulding
Signature

03/14/2006
Date

Robert T. Spaulding
Typed or printed name

28,990
Registration Number, if applicable

550 Elinor Dr.
Address

(714) 879-5000
Telephone Number

Fullerton, CA 92835
Address

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

03/14/2006
Date

Robert T. Spaulding
Signature
Robert T. Spaulding
Typed or printed name of person signing certificate



In the United States Patent and Trademark Office

Application Number: 10/614,250
Filing date: 07/05/2003
Applicant(s): Kilburn, Kip and Winiger, Roger
App'n. Title: An Improved Vehicle Suspension System
Examiner/GAU: Spisich, George / 3616

Mailed: 03/14/05
Fullerton, CA

Statement

Commissioner of Patents and Trademarks
Washington, DC 20231

Sir:

In response to the Notice of Abandonment mailed 03/08/2006, this abandonment was unintentional. In Amendment A of the above cited application, mailed 03/18/2005, option I of the Election/Restrictions was chosen to comply with the Election requirement, and generic Claim 4 was added to comply with the Restrictions requirement. There was no communication from the Patent Office until 09/24/2005, when Examiner Spisich called to say that he had never received a reply to his letter of 03/08/2005. A copy of Amendment A was promptly sent to him along with Express Mail receipt number ED 618822017 showing the 03/18/2005 mailing date of the original Amendment A. Further enclosed is a copy of the Certificate of Mailing under 37 CFR 1.8 that accompanied the original mailing. Further, a copy of the date-stamped postcard dated 09/28/2005 is enclosed. Since nothing was heard from the Patent Office until the receipt of the Notice of Abandonment, it was assumed that everything was proper.

To further comply with the Restrictions requirement, the elected species is described in Claim 1 in the application and is shown in Figure 1 of the associated drawings.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Robert T. Spaulding", followed by a long horizontal flourish.

Robert T. Spaulding

#28,990



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Assistant Commissioner for Patents
Washington, D.C. 20231

on March 18, 2005
Date

 #28,990
Signature

ROBERT T. SPAULDING
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THE FOLLOWING RECEIVED TODAY- 1 PAGE
LETTER OF TRANSMITTAL ENTITLED "COPY
OF AMENDMENT A". 2 PAGES AMENDMENT
A IN RE: APPLICATION # 10/614,250 DATED
07/05/2003. PTO/SB/92. RETURN RECEIPT
POSTCARD. EXPRESS MAIL RECEIPT #
ED 618822017.

